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HOUSE MEMORIAL 39

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Jim R. Trujillo

A MEMORIAL

REQUESTING THE OIL CONSERVATION DIVISION OF THE ENERGY,
MINERALS AND NATURAL RESOURCES DEPARTMENT TO EXAMINE THE
REGULATION OF THE OIL AND GAS INDUSTRY IN NEW MEXICO PURSUANT
TO THE OIL AND GAS ACT TO DETERMINE IF MEASURES NEED TO BE
TAKEN TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THAT
REGULATION.

WHEREAS, the oil and gas industry in New Mexico is a vital
source of revenue that supports programs of benefit to the
citizens of New Mexico; and

WHEREAS, the oil and gas industry is regulated by the oil
conservation division of the energy, minerals and natural
resources department; and

WHEREAS, the oil conservation division is empowered by the
Oil and Gas Act to prevent waste prohibited by the Oil and Gas

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1 Act, to protect correlative rights and to protect public health
2 and the environment; and

3 WHEREAS, many statutes regulating the industry were
4 originally enacted over fifty years ago and have not been
5 updated since then; and

6 WHEREAS, significant technological and environmental
7 advances have taken place during that period; and

8 WHEREAS, the environmental regulatory programs of the oil
9 conservation division were reviewed in the report entitled
10 *State Review of Oil and Natural Gas Environmental Regulations*,
11 and that report made recommendations for improvements in the
12 oil conservation division's environmental regulatory programs;
13 and

14 WHEREAS, oil conservation division staff and stakeholders
15 have identified opportunities to update and improve certain
16 provisions of the Oil and Gas Act; and

17 WHEREAS, it is vitally important to the citizens of New
18 Mexico, the state and the oil and gas industry that the oil and
19 gas industry be appropriately and carefully regulated;

20 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
21 STATE OF NEW MEXICO that the oil conservation division of the
22 energy, minerals and natural resources department, with input
23 from stakeholder groups, be requested to review the Oil and Gas
24 Act to ensure that the statutory mandates are appropriate for
25 current regulation of the oil and gas industry and that the oil

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1 conservation division report back to the second session of the
2 forty-seventh legislature with proposed amendments to the Oil
3 and Gas Act to improve regulatory effectiveness and with
4 proposed changes to oil conservation division staffing and
5 funding to improve the ability of the division to accomplish
6 its statutory mandates; and

7 BE IT FURTHER RESOLVED that copies of this memorial be
8 transmitted to the director of the oil conservation division of
9 the energy, minerals and natural resources department and to
10 the secretary of energy, minerals and natural resources.